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PATENT  
Docket No.: 55457US029

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: NICHOLAS R. BAUMANN, MATTHEW T. SCHOLZ, ROBERT P. ZASPTEL,  
KENT E. LAGESON AND CLAUDE E. CYBULSKI

Application No.: 10/728,435 Group Art Unit: 3751

Filed: December 5, 2003 Examiner: D. Walczak

Title: SURGICAL PREP SOLUTION APPLICATOR SYSTEM AND METHODS

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
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<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300. (9053)
February 13, 2006 Date	Judy L. Hansen Signed by: Judy L. Hansen

Dear Sir:

Petitioner, 3M Innovative Properties Company, a corporation of the State of Delaware having a place of business at 3M Center, St. Paul, MN, represents that it is the exclusive owner of the entire interest in the above-identified application (referred to as the "Subject Application") by virtue of an assignment recorded at Reel 012794, Frame 0462, on April 12, 2002. Petitioner further represents that it is the exclusive owner of the entire interest in U.S. Patent No. 6,422,778 (referred to as the "Prior Patent"), by virtue of an assignment recorded at Reel 012794, Frame 0462, on April 12, 2002.

Petitioner disclaims the terminal part of any patent granted on the Subject Application (referred to as a "Subject Patent") which would extend beyond the expiration date of the full statutory term, as defined in 35 USC §§ 154 to 156 and 173 and as presently shortened by any terminal disclaimer, of the Prior Patent. Petitioner hereby agrees that the Subject Patent shall be enforceable only for and during such period that the legal title to such patent and the Prior Patent are commonly owned. This agreement is to run with the Subject Patent and to be binding upon the grantee, its successors, or assigns.